

JOHN PURCELL.

[To accompany Bill H. R. No. 101.]

APRIL 2, 1860.

Mr. FENTON, from the Committee on Invalid Pensions, made the following

REPORT.

*The Committee on Invalid Pensions, to whom were referred the memorial and accompanying papers of John Purcell, report :*

That the memorialist enlisted at Fort Wayne, Indiana, in October, 1855, in company C, tenth regiment of United States infantry ; " that whilst on extra duty at Fort Ripley, Minnesota Territory, on the 2d day of January, 1857, he was seized with epileptic fits, prostrating him to the ground, from whence he was carried to the hospital, from whence he was discharged." The Pension office refused him a pension on the ground that it had been certified that the fits to which he is now subject were hereditary, and therefore they could not have been produced by the fatigue and labor incident to the service.

Ten or fifteen witnesses, who have known the petitioner for a number of years, testify to his having been, previous to entering the service, a very robust man, sound and healthy in every respect.

James A. S. Carpenter and Samuel St. John, who are reputable physicians, swear that the disease was produced by the exposures of the service, and was *not* hereditary.

The Hon. Charles Case, a member of the House of Representatives, knows the witnesses, and says that they are all men of high standing for truth and veracity.

The committee are unanimous in the opinion that, if the disease was hereditary, it was the duty of the army surgeon to have found it out before he was enlisted ; his failing to do so is sufficient to justify the committee in believing that it was produced by the fatigues and exposures of the service. They report a bill for one-half disability.

